

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 219 be amended to read as follows:

- 1           Page 3, between lines 11 and 12, begin a new paragraph and insert:  
2           "SECTION 3. IC 20-34-3-12, AS ADDED BY P.L.1-2005,  
3           SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2009]: Sec. 12. (a) For purposes of this section, "modified  
5           clinical technique" means a battery of vision tests that includes:  
6               (1) a visual acuity test to determine an individual's ability to see  
7               at various distances;  
8               (2) a refractive error test to determine the focusing power of the  
9               eye;  
10           (3) an ocular health test to determine any external or internal  
11           abnormalities of the eye; and  
12           (4) a binocular coordination test to determine if the eyes are  
13           working together properly.  
14           (b) The governing body of each school corporation shall conduct:  
15               (1) an annual vision test, using the modified clinical technique, of  
16               each student upon the student's enrollment in either kindergarten  
17               or grade 1; and  
18               (2) an annual screening test of the visual acuity of each student  
19               enrolled in or transferred to grade 3 and grade 8 and of all other  
20               students suspected of having a visual defect.  
21           (c) Records of all tests shall be made and continuously maintained  
22           by the school corporation to provide information useful in protecting,  
23           promoting, and maintaining the health of students. The state

1 department of health and the state board shall adopt joint rules  
2 concerning vision testing equipment, qualifications of vision testing  
3 personnel, visual screening procedures, and criteria for failure and  
4 referral in the screening tests based on accepted medical practice and  
5 standards.

6 **(d) Records of all tests conducted under this section shall be**  
7 **provided by the school corporation to the state department of**  
8 **health.**

9 SECTION 4. IC 20-34-3-13, AS ADDED BY P.L.1-2005,  
10 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2009]: Sec. 13. (a) If a school corporation is unable to comply  
12 with section 12(b)(1) of this chapter, the governing body may, before  
13 November 1 of a school year, request from the state superintendent a  
14 waiver of the requirements of section 12(b)(1) of this chapter.

15 (b) The waiver request under subsection (a) must:

16 (1) be in writing;

17 (2) include the reason or reasons that necessitated the waiver  
18 request; and

19 (3) indicate the extent to which the governing body attempted to  
20 comply with the requirements under section 12(b)(1) of this  
21 chapter.

22 (c) The state superintendent shall take action on the waiver request  
23 not later than thirty (30) days after receiving the waiver request.

24 (d) The state superintendent may:

25 (1) approve the waiver request;

26 (2) deny the waiver request; or

27 (3) provide whatever relief that may be available to enable the  
28 school corporation to comply with the requirements under section  
29 12(b)(1) of this chapter.

30 (e) If the state superintendent approves the waiver request, the  
31 governing body shall conduct an annual screening test of the visual  
32 acuity of each student upon the student's enrollment in or transfer to  
33 grade 1.

34 **(f) The governing body of each school corporation shall make**  
35 **and maintain records of all waivers requested under this section.**

1       **(g) Records of all actions taken by the state superintendent**  
2       **concerning all waivers requested under this section shall be made**  
3       **and continuously maintained by the state superintendent."**

4       Renumber all SECTIONS consecutively.  
      (Reference is to ESB 219 as printed March 31, 2009.)

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Representative Porter